

1 **William F. Starling**
2 *Pro Se*
3 P.O. Box 569
4 Reddick, FL 32686
5 352-591-4500 Telephone
6 352-591-4503 Fax
7
8
9

ORIGINAL

FILED
03 DEC 29 PM 12:13
LANCE S. WILSON
CLERK
BY
DEPUTY

10
11 **In The United States District Court**
12 **For The District of Nevada**

13
14 Thomas A. Dillon, Independent
15 Fiduciary Of Employers Mutual Plans,

16
17 Plaintiff,

18
19 vs.

20
21
22
23 James Lee Graf, et al.
24 Defendant(s).
25
26

Case No.: CV-N-03-0119-HDM-VPC

27
28 **OBJECTION TO LEAD COUNSEL**
29 **AND MEDIATOR**
30

31 **BRIEF IN SUPPORT**

32 William F. Starling, on behalf of William F. Starling and all parties similarly
33 situated, objects to and moves this court to dispense with the services of a Lead
34 'Counsel and Mediator with respect to Mr. Starling. Mr. Starling files this
35 Objection to being forced by the court to contract with a Lead Counsel and a
36 Mediator. Mr. Starling contends that there is no controversy and that this suit is
37 frivolous on its face. Mr. Starling also contends the following:

1 1. Mr. Starling has every right to be heard and defend himself without the
2 services of an attorney. Mr. Starling does not want anyone to stand between him
3 and the court. Mr. Starling objects to "judicial economy" being placed over the top
4 of his rights.

5
6 2. Mr. Starling objected or tried to Lead Counsel (over the phone) during the
7 October 20, 2003 hearing, but was not heard by the court on this matter.

8
9 3. Mr. Starling contends that he cannot be forced nor compelled against his
10 wishes, to contract. Mr. Starling objects to any contracting "on his behalf" without
11 his known, voluntary and written consent. If this is incorrect, please state the law,
12 statute, or rule that compels Mr. Starling to be forced to contract with someone
13 against his wishes.

14
15 4. Mr. Starling has every right to choose with whom he will or will not contract.
16 If this is incorrect, please state the law, statute, or rule that compels Mr. Starling to
17 do otherwise.


18
19 5. Mr. Starling has every right to choose when he will or will not contract. If
20 this is incorrect, please state the law, statute, or rule that compels Mr. Starling to
21 not have this right.

1 6. Mr. Starling has a right to negotiate in setting the price for any services he
2 contracts for. In contracting, there is an offer and there is acceptance. If this is
3 incorrect, please state the law, statute, or rule that states otherwise.
4

5 7. Mr. Starling cannot be compelled to contract for services he cannot afford.
6 If forced to contract for services for which he cannot pay, Mr. Starling will be
7 forced by the court into committing fraud—that is using services he knows in
8 advance, which he cannot afford to pay. This would amount to a fraud
9 perpetrated by the court on Mr. Starling, a Lead Counsel or a Mediator.
10

11 8. Mr. Starling cannot afford the costly services of a Lead Counsel or a
12 Mediator. Mr. Starling contends that he has the right to budget his own income
13 and not be forced to pay for anything that would result in bankruptcy, cause harm
14 to Mr. Starling or his family, or cause Mr. Starling to go into a debt he cannot pay.
15 If this is incorrect, please state the law, statute, or rule that states otherwise.
16 Could Mr. Starling, and others similarly situated, see this "forcing by the court" as
17 extortion under the color of law?
18

19
20
21 Prepared and submitted by:

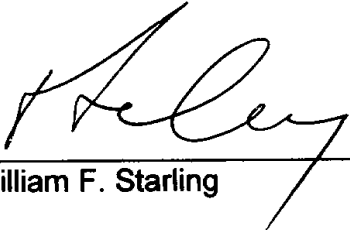

William F. Starling
22
23
24

Certificate of mailing

I, William F. Starling, certify that on December 22, 2003, I mailed a true and correct copy of the above and foregoing motion via first class mail postage prepaid to:

Robert L. Brace
Hollister & Brace
1126 Santa Barbara Street
Post Office Box 630
Santa Barbara, California 93102

Richard W. Horton
Lionel Sawyer & Collins
50 West Liberty Street
Suite 1100
Reno Nevada 89501



William F. Starling

and also:

Edwin L. Worthington
U.S. Department of Justice
Southern District of Mississippi
188 East Capitol Street, Suite 500
Jackson, Mississippi 39201-0101

Noel Hillman
U. S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington DC 20530-0001

Charles R. Gross